

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/616,692 Confirmation No. 1639
Applicant : Nelson et al.
Filed : July 9, 2003
TC/A.U. : 1614
Examiner : Royds, Leslie A
For : Compositions and Methods for the Treatment of Parkinson's Disease
and Tardive Dyskinesias
Docket No. :47-00B
Customer No.:23713

Commissioner for Patents
MAIL STOP AMENDMENT
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CERTIFICATE OF EFS-WEB FILING	
I hereby certify that this correspondence is being filed with the USPTO EFS-WEB system.	
<u>January 2, 2009</u> Date	<u>/laurasedlacek/</u> Laura Sedlacek

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

The Examiner is respectfully requested to consider the references, which may qualify as prior art. For the Examiner's convenience, the references are listed on the attached form prepared by Applicants; this form is generally based on Patent and Trademark Office form PTO/SB/08a, but is not a USPTO form. Copies of the one foreign reference and five non-patent references are attached hereto.

Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a related foreign application not more than three months prior to the filing of this information disclosure statement.

This information is cited in a spirit of forthrightness and cooperation to enable the applicants to obtain that measure of protection for the invention to which there is entitlement. However, no representation is made that the listed art actually qualifies as prior art under the patent statute and the mere use of any accompanying form, whether such form is generated by Applicant or is a USPTO form, is not an admission that all

listed references are prior art. No representation is made that applicants know of the best art.

EXPLANATION OF THE RELEVANCE OF PUBLISHED GERMAN PATENT APPLICATION DE 44 28 199 A1 under 37 CFR Section 1.98 (1)(3)(i)

This reference was cited in a Supplementary European Search Report in related European Patent Application No. 03763398.9, which corresponds to U.S. Serial No. 10/616,692, a continuation in part of U.S. Serial No. 10/192,414. The relevant portion of the reference was stated to be the "claims." The reference was coded "X" for "particularly relevant if taken alone." The claims specify the use of Flunitrazepam and/or chloroquine for the treatment of tardive dyskinesias. Flunitrazepam is sold under the trade name Rohypnol, among others. It is popularly known as the "date rape" drug. It is not claimed as a brain-targeting agent. The claims do not provide a dosage amount for chloroquine. The specification also does not appear to provide a dosage amount for chloroquine, nor does it appear to provide any experimental results showing that chloroquine is able to treat tardive dyskinesias. The reference is therefore non-enabling for using chloroquine to treat tardive dyskinesias.

It is believed that this submission does not require the payment of a fee. If this is not correct, please charge any required fee to deposit account no. 07-1969.

Respectfully submitted,

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January 2, 2009